

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

DAVID ANTHONY MCKINNEY,)	
)	
Petitioner,)	
)	
v.)	1:19CV721
)	
KELVIN T. KING,)	
)	
Respondent.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on July 16, 2020, was served on the parties in this action. Petitioner objected to the Recommendation [Doc #25]. The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation [Doc. #23].

IT IS THEREFORE ORDERED that Respondent's motion for summary judgment [Doc. #16] be **GRANTED**, that Petitioner's petition [Doc. #1], motion seeking injunction [Doc. #10], and motion for default judgment [Doc. #19] all be **DENIED**, and that Judgment be entered dismissing this action. A judgment dismissing this action will be entered contemporaneously with this Order.

This the 3rd day of September, 2020.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge